IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 15038-M of 2007

DATE OF DECISION : 09.03.2007

Arvinder Singh

.... PETITIONER

Versus

State of U.T. Chandigarh and another

..... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Mohan Singh, Advocate,
for the petitioner.

Petitioner Arvinder Singh, who is husband of the complainant, has filed this petition under Section 482 of the Code of Criminal Procedure for quashing of FIR No. 292 dated 8.8.2006 under Sections 406/498-A/34 IPC, registered at Police Station Sector 34, Chandigarh.

2. Counsel for the petitioner contends that the allegations levelled by the complainant in the aforesaid FIR are totally false and concocted and the alleged acts of harassment, cruelty and beating of the complainant by the petitioner on account of demand of dowry have been committed at Delhi where the marriage between the parties had taken place. He further contends that the alleged entrustment of the Istri Dhan of the complainant as well as breach of trust also took place at Delhi, therefore, the police at Chandigarh was having no jurisdiction to register the case on those allegations and investigate the same.

3. I have heard counsel for the petitioner and gone through the contents of the FIR.

4. In the FIR of this case, specific allegations have been levelled against the petitioner for causing cruelty, harassment and beating to the complainant on account of demand of dowry. In the FIR, it has also been

alleged that when the complainant was being harassed by her husband and other family members, her parents brought her to Chandigarh, where she remained for some days. During that period, petitioner came to Chandigarh and on his demand, an amount of Rs. 50,000/- was paid to him for purchase of a Qualis car and thereafter, on the pretext that the complainant will not be harassed further, she was taken to Delhi. Again, at Delhi, harassment was caused to the complainant on account of bringing more dowry and severe beating was given to her by the petitioner in drunken condition. After causing harassment, when the complainant was thrown out of the matrimonial home, she came to Chandigarh to live at the mercy of her parents. Again, at Chandigarh, the petitioner threatened the complainant on telephone to kill her and demanded dowry. It has been alleged that when demand of return of Istri Dhan was made by the complainant at Chandigarh, he denied to return all the dowry articles. Thus, keeping in view the nature of allegations levelled against the petitioner in the FIR and the provisions contained in Section 178 Cr.P.C., I do not find any substance in either of the contentions raised by counsel for the petitioner for quashing of the aforesaid FIR, particularly when investigation in the case is still pending with the police.

5. Dismissed.

March 09, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**